

Imagine the result

James Campbell Company, LLC 1001 Kamokila Boulevard Kapolei, Hawaii 96707

2012 Institutional Controls Annual Report Del Monte Pineapple Plantation Superfund Site Kunia, Oahu, Hawaii

September 12, 2012

Jeffrey/C Myrrely P/E.
Principal/Engineer

### 2012 Institutional Controls Annual Report

Del Monte Pineapple Plantation Superfund Site Kunia, Oahu, Hawaii

Prepared for:
James Campbell Company, LLC
Prepared by:
ARCADIS U.S., Inc.
220 South King Street
Suite 1290
Honolulu, Hawaii 96813
Tel 808.522.0321
Fax 808.522.0366

Our Ref.: HI011093.0006

Date: September 12, 2012

This document is intended only for the use of the individual or entity for which it was prepared and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this document is strictly prohibited.

### **Table of Contents**

1.	Introduction							1
2.	Project objectives							-1
3.	Monitoring of Institutional Controls	,			•			1
	3.1 Conveyance of Property Titles	•			,			. 2
	3.2 Status of Remaining Property							2
	3.3 Certifications of Compliance							2
	3.4 Records Review			•				3
	3.5 Site Inspection							3
4.	SUMMARY AND CONCLUSIONS							 5
5.	REFERENCES						1	6
Fig	ures							
	Figure 1 Site Vicinity Map							
	Figure 2 Site Plan		•					
	Figure 3 Site Plan and Kunia Village						•	
	Figure 4 Site Plan and Section 7 and 9	) · · .						
	Figure 5 Site Plan and Section 2	•	•					
	Figure 6 Site Plan and Section 6					,		
•	Figure 7 Site Plan and Section 8		• 1					
	Figure 8 Well Restriction Area and DLN	NR Well Num	ber Quadrants	<b>.</b>				
Ар	pendices	•	:	· /:-				*
	A Source Area Boundary							

Lessee Certifications of Compliance

2012 Institutional Controls Annual Report

Del Monte Pineapple Plantation Superfund Site Kunia, Oahu, Hawaii

#### 1. Introduction

ARCADIS-U.S., Inc. (ARCADIS) has prepared this Institutional Controls Annual Report (IC Annual Report) on behalf of the James Campbell Company LLC (Campbell) to comply with the requirements of the March 19, 2007 Institutional Controls Consent Decree (Consent Decree) for the Del Monte Pineapple Kunia Plantation Superfund Site. Campbell owned the Site at the time of the Consent Decree, but no longer owns any portion of the Site. A Site Location Map is presented as Figure 1 and a Site Plan is presented as Figure 2 of this report. The U.S. Environmental Protection Agency (EPA) identification number for the Site is HID 980637631.

### 2. Project objectives

The Consent Decree requires that Campbell monitor institutional controls at the Site to verify that property owners and lessees have not:

- 1. undertaken any construction in the Source Area or the Well Restriction Area that has damaged or interfered with, or might damage or interfere with, any basal groundwater monitoring or extraction wells, or equipment associated with those wells; or
- submitted an application for a water-use permit to withdraw water from any well located in the Well Restriction Area.

The objectives of this report are to summarize activities undertaken by Campbell during the previous year to comply with the requirements of the Consent Decree and to certify such information as required by the EPA. This report is for the period September 18, 2011 to September 17, 2012.

### 3. Monitoring of Institutional Controls

To comply with the Consent Decree, ARCADIS obtained records from Campbell associated with Paragraph 7 of the Consent Decree which requires that Campbell provide EPA with written notice before completing a proposed title conveyance of property within the Site. Additionally, ARCADIS performed monthly reviews of State of Hawaii Department of Land and Natural Resources (DLNR) Water Commission Monthly Reports and performed a site visit to verify that required institutional controls were in place. This information is summarized in the following sections.

2012 Institutional Controls Annual Report

Del Monte Pineapple Plantation Superfund Site Kunia, Oahu, Hawaii

### 3.1 Conveyance of Property Titles

No conveyance of property titles occurred during this past year. Although Campbell no longer retains ownership of any portion of the Site, they will continue to monitor property transactions and provide appropriate notifications to future property owners and the EPA as required by the Consent Decree.

### 3.2 Status of Remaining Property

Campbell no longer owns any portion of the Site. The Source Area was conveyed to Hawaii Agriculture Research Center on November 17, 2009 as part of the Kunia Village disposition. Campbell is currently in the process of subdividing the Source Area. The final Source Area boundary is shown in the figures presented in Appendix A.

### 3.3 Certifications of Compliance

Certifications of compliance with the Declaration of Environmental Restrictions (Well Restriction Area) from current property owners for the past year are summarized in the table below. Copies of signed certifications are presented in Appendix B.

Purchaser	Site Section	Certification Date	Signatory
Hawaii Agriculture Research Center	Kunia Village (Figure 3)	August 13, 2012	Stephanie Whalen and David Kula
Army Hawaii Family Housing, LLC	Sections 7 and 9 (Figure 4)	August 13, 2012	Mark Frey
Kunia Loa Ridge Farmlands	Section 2 (Figure 5)	August 21, 2012	Calvin Lui
Syngenta Hawaii, LLC	Section 6 (Figure 6)	July 9, 2012	Mark Phillipson
Fat Laws Farm Inc.	Section 8 (Figure 7)	August 13, 2012	Frank Law

2012 Institutional Controls Annual Report

Del Monte Pineapple Plantation Superfund Site Kunia, Oahu, Hawaii

#### 3.4 Records Review

ARCADIS reviewed Monthly Water Resource Bulletins prepared by the DLNR Commission on Water Resource Management (the Commission) to verify that no new applications for well installation or water use permits within the Well Restriction Area have been submitted during the previous year (bulletins for September 2011 through August 2012). The bulletins can be found at www.hawaii.gov/dlnr/cwrm. The Well Restriction Area covers portions of DLNR well quadrants 3-2503, 3-2603 and 3-2703 as shown in Figure 8. Review of the bulletins indicated that no well permits or water use permits were submitted to the DLNR for these three quadrants during this reporting period.

ARCADIS also reviewed the publicly available minutes for the meetings of the Commission (September 2011 through August 2012). The meeting minutes can be found at www.hawaii.gov/dlnr/cwrm. This review verified that no water-use permits for the Well Restriction Area were submitted to the DLNR during this reporting period.

Although no well installation permits or water use permits were submitted to the DLNR for the Well Restriction Area, well construction and pump installation permit applications and a groundwater use permit application were submitted for a new well (identified as well number 3-2402-006) located approximately 1,500 feet southeast of the Well Restriction Area boundary. According to minutes for the Commission meeting conducted on August 15, 2012, the "new water use permit would provide back-up irrigation water for 2,052 net acres of seed corn and various other crops, currently irrigated by surface water from the Waiahole Ditch System". The minutes state:

There are contaminated Del Monte wells north of the subject well (well 3-2402-006): These are subject of an EPA Consent Decree to clean up the wells. The State of Hawaii Department of Health Hazard Evaluation and Emergency Response (HEER) and EPA, indicated they have no concerns about Monsanto's application. The proposed well is outside of the area that is subject to the Consent Decree. There appear to be no negative impacts on the EPA / DOH mitigation work to remediate the contaminated plume. The proposed well will not be used for potable purposes.

However, in order to effectively prevent "providing a water user with two allocation of water in the same land use", the following recommendation was made: deny the groundwater use permit application; allow construction of the well; and approve installation of the pump and pump testing.

### 3.5 Site Inspection

On August 17, 2012, ARCADIS conducted a visual inspection of the Source Area, the Phytoremediation Area and the basal monitoring wells. During the inspection, evidence of a new basal monitoring well installation was observed north of the Phytoremediation Area. ARCADIS was advised the new well (identified as BMW-7 on Figure 2) was being installed by Golder Associates, Inc. (Golder) under the

#### 2012 Institutional Controls Annual Report

Del Monte Pineapple Plantation Superfund Site Kunia, Oahu, Hawaii

direction of Del Monte per the Hawaii Agriculture Research Center (HARC) and that all affected parties (including Campbell, Craig Bloomgarden, ESQ (counsel to Campbell), and the EPA) are aware of the new monitoring well installation.

The major components of the remediation system consist of:

- A soil vapor extraction (SVE) system with carbon absorption to remove deep soil contaminants and reduce perched water impacts on the basal aquifer.
- Vegetated soil cover and storm water controls uphill of the Source Area.
- A groundwater extraction system providing hydraulic containment and dewatering of the perched aquifer area. Extracted groundwater is treated using phytoremediation.

The SVE system consists of the well points, treatment system components, and controls. The controls are installed on a concrete slab enclosed by a chain link fence and metal roof. In general, the well heads and piping for the SVE and groundwater extraction systems appeared to be in good condition. ARCADIS did, however, observe the following: the fitting adjacent to one of the hose clamps on SVE groundwater extraction well MW-13 was leaking; several of the stand alone groundwater extraction wells showed evidence of corrosion; rust was observed at the base of the aboveground water storage tank located adjacent to the SVE control area; makeshift "plugs" (i.e. a rag and duct tape) were observed on the SVE equipment in the controls area; staining was observed beneath the SVE equipment in the controls area; and two stand alone groundwater monitoring wells in the upper portion of the Source Area did not have working locks. In addition, although the Source Area was secured by a chain link fence, the "No Trespassing" sign located at the entrance of the Source Area did not provide an Emergency Contact Number.

At the time of the inspection, the Source Area was covered with maintained vegetation consisting of grasses typical of surrounding agricultural areas. Vegetation in the Source Area appeared dry and underwatered with patches of exposed soil. Storm water in the upper portion of the Source Area (near the Kunia Well) flows to a concrete diversion ditch and is conveyed to a drainage swale that directs water offsite to the east and across Kunia Road. The diversion ditch is connected to the swale by a large culvert culminating in an energy dissipater. Vegetation was observed in the diversion ditch, as well as in an adjacent ditch, on the upper portion of the Source Area. ARCADIS also observed excessive vegetation in the drainage swale and noted that the top cover of the energy dissipator was not properly seated. Nonetheless, the storm water control system in the Source Area appeared to be in good condition.

The Phytoremediation Area appeared to be in good condition with no damage to the high-density polyethylene (HDPE) liner. ARCADIS made the following observations in the Phytoremediation Area: the "No Trespassing" sign located at the entrance of the Phytoremediation Area did not provide an Emergency Contact Number; and piles of rubber debris (i.e. rubber hoses) was observed within the vegetated area.

#### 2012 Institutional Controls Annual Report

Del Monte Pineapple Plantation Superfund Site Kunia, Oahu, Hawaii

Following inspection of the Phytoremediation Area, ARCADIS conducted a drive-through inspection of basal monitoring wells BMW-1 through BMW-6, the DLNR Mauka Deep Monitoring Well and the Pearl Harbor Middle Deep Exploratory Well. All of the wells were intact and locked. The following observations were made of the wells:

- The covers of basal monitoring wells BMW-1, BMW-2, BMW-5, and the DLNR Mauka Deep Monitoring Well showed evidence of severe oxidation:
- Substantial paint had chipped from the protective bollards at wells BMW-2, BMW-4, and BMW-5
  and an electrical box on one of the bollards surrounding well BMW-2 had evidence of corrosion;
- A makeshift patch, constructed with tape, covers a hole approximately two inches in diameter on the side of well BMW-1;
- Bollards are missing from the perimeter of well BMW-1.
- An uncovered hole, approximately two inches in diameter, is located on the side of well BMW-6;
- Excessive vegetation was visible at wells BMW-3, the DLNR Mauka Deep Monitoring Well and the Pearl Harbor Middle Deep Exploratory Well; and
- Locks were not present on the fenced compounds surrounding the DLNR Mauka Deep Monitoring.
   Well and the Pearl Harbor Middle Deep Exploratory Well.

### 4. SUMMARY AND CONCLUSIONS

ARCADIS conducted an inspection to verify that institutional controls were working effectively in the Source Area and Well Restriction Area of the Site. Based on our review of available information ARCADIS concluded the following:

- Affected lessees and landowners certified compliance with the Consent Decree;
- No permits for water use in restricted areas have been requested of the DLNR's Water Commission;
- An inspection of the Source Area, the Phytoremediation Area and basal monitoring wells confirmed that the remediation system is intact and operational; and
- No construction or other activities have interfered with the functioning of the basal monitoring wells.

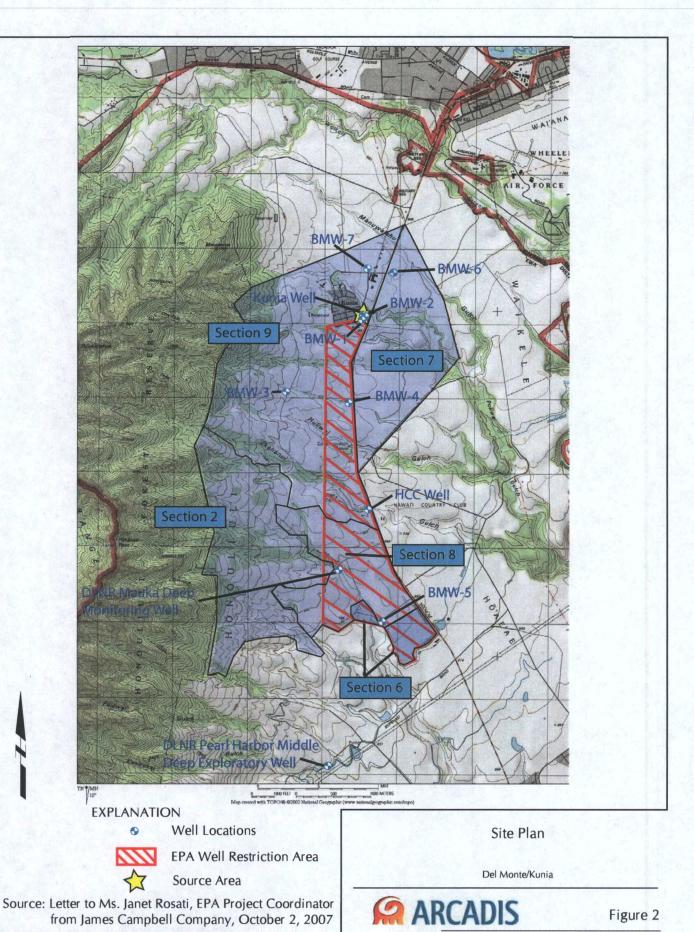
2012 Institutional Controls Annual Report

Del Monte Pineapple Plantation Superfund Site Kunia, Oahu, Hawaii

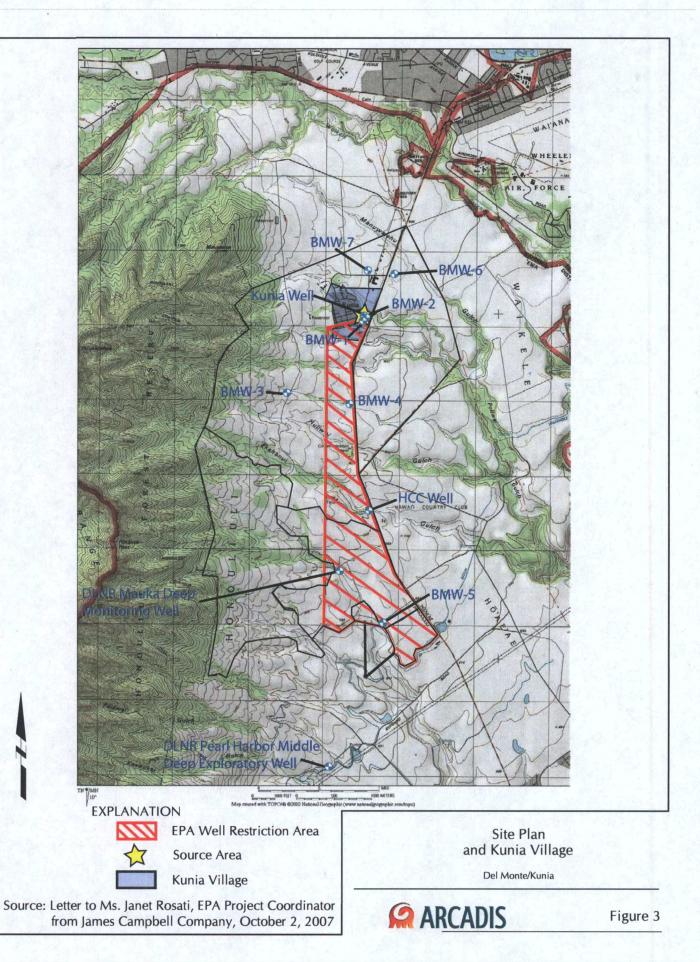
### 5. REFERENCES

Golder Associates, Inc. (Golder). 2007. Perched Groundwater Remedial Design Report for the Del Monte Corporation (Oahu Plantation) Superfund Site. December 20.

Environmental Protection Agency, Region IX. 2007. CERCLA Administrative Order on Consent with the James Campbell Company, LLC. March 19.



. Canadan 1100 VV Israe Comphyll Dol Mante Kinsis Breiset-Millel 1003 0006 2017 Kinsis Ginserflies Periser-Riestrea Ci



Projects/HI011093,0006 2012 Kunia Superfund Project/Figures/Figure 4 - Sections 7 and 9.



**EPA Well Restriction Area** 



Source Area

Source: Letter to Ms. Janet Rosati, EPA Project Coordinator from James Campbell Company, December 3, 2008

Site Plan and Sections 7 and 9

Del Monte/Kunia



Projects/HI011093.0006 2012 Kunia Superfund Project/Figures/Figure 5 - Section 2.ai

**EPA Well Restriction Area** 



Source Area

Source: Letter to Ms. Janet Rosati, EPA Project Coordinator from James Campbell Company, September 15, 2008

Site Plan and Section 2

Del Monte/Kunia





**EPA Well Restriction Area** 



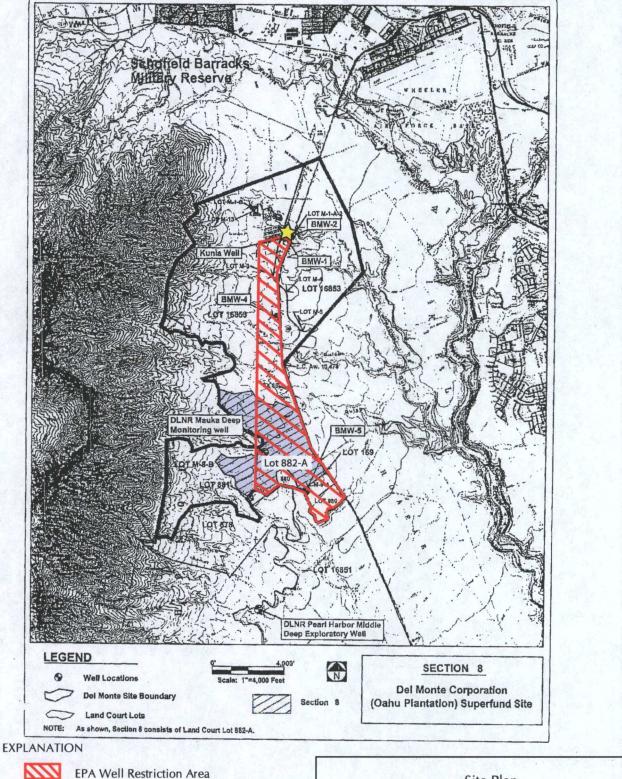
Source Area

Source: Letter to Ms. Janet Rosati, EPA Project Coordinator from James Campbell Company, September 15, 2008

Site Plan and Section 6

Del Monte/Kunia





Source: Letter to Ms. Janet Rosati, EPA Project Coordinator from James Campbell Company, October 2, 2007

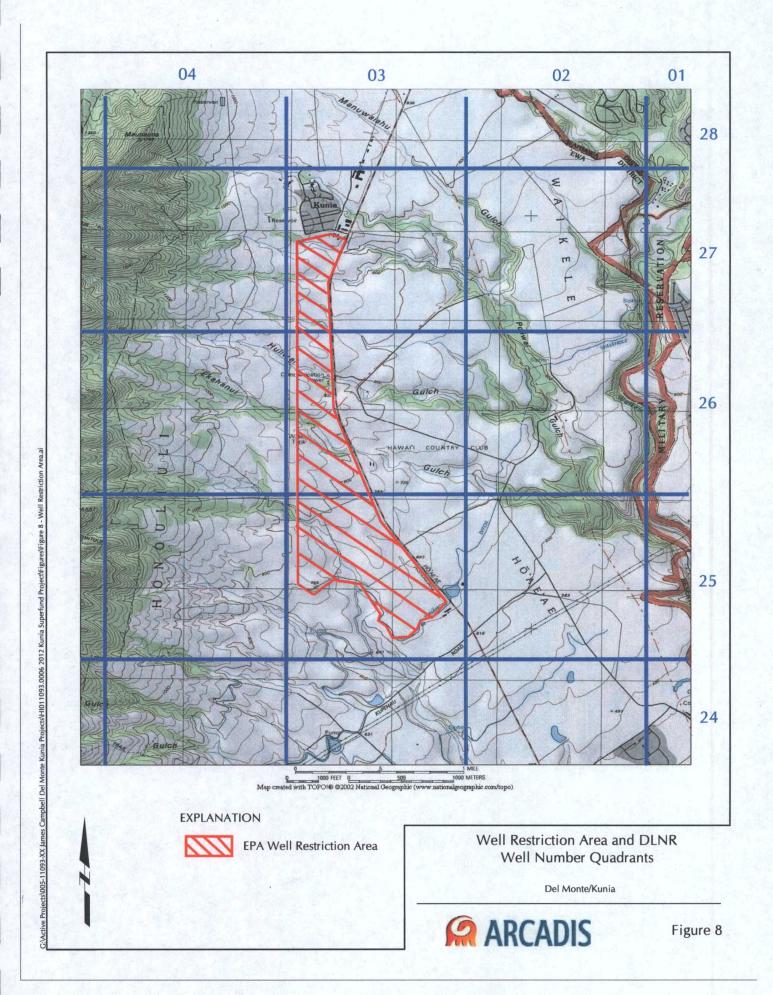
Source Area

Projects/H1011093,0006 2012 Kunia Superfund Project/Figures/Figure 7 - Section 8.ai

Site Plan and Section 8

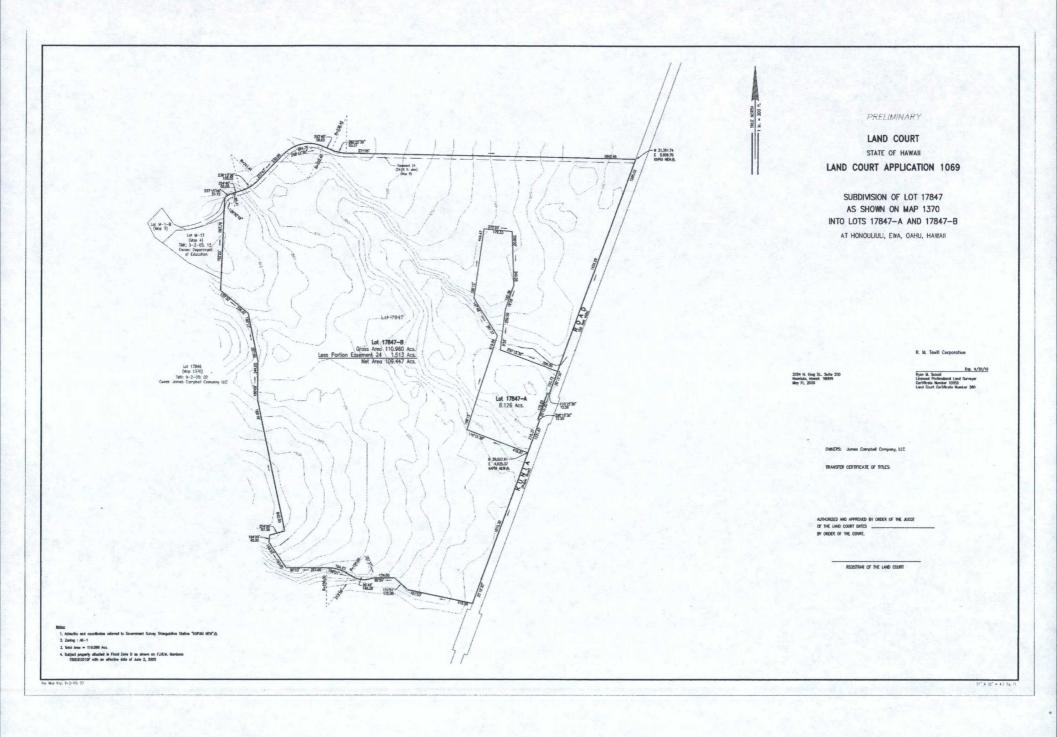
Del Monte/Kunia

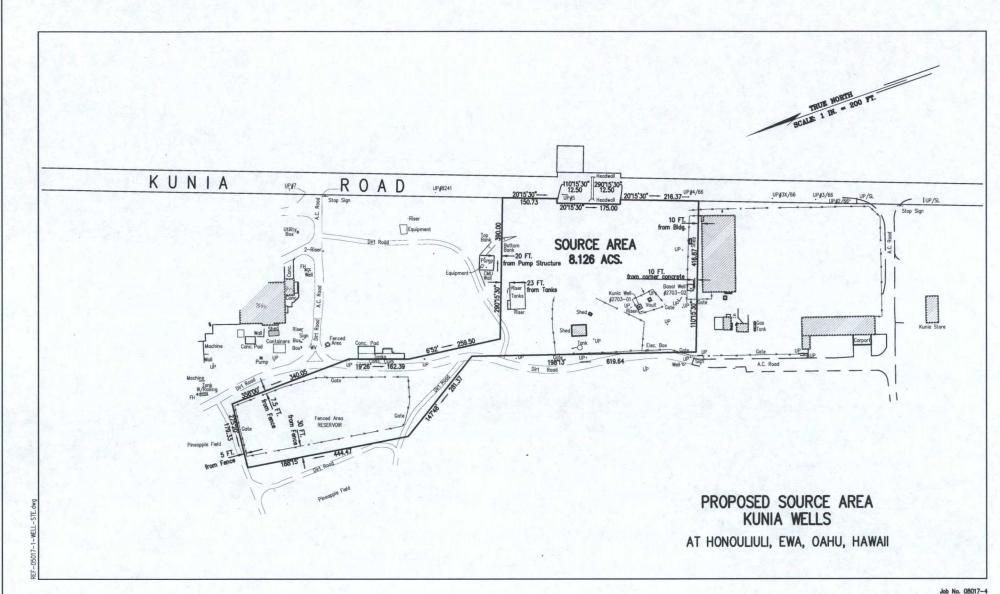




Appendix A

Source Area Boundary





Job No. 08017-4 F.B. Nos. 2496 and 2843

Appendix B

Lessee Certifications of Compliance

I am authorized to make this certification on behalf of the owner(s) of the property described below ("Property").

On behalf of said owner(s), I hereby certify, to the best of my and said owner(s)' information and belief, that the following is true and correct as of the date set forth below:

- No application for a water use permit to withdraw water from any well located or to be located in the area shown on the map attached hereto ("Well Restriction Area") has been filed by any owner, lessee, licensee, or other occupant or user of the Property (collectively "Occupant").
- No Occupant of the Property has undertaken any construction in the Well Restriction Area that has damaged or interfered with, or might damage or interfere with, any basal groundwater monitoring or extraction wells, or equipment associated with those wells.

Date:

13 2012

Signature:

Printed Name: STENHAUE A WHALEN

DAVID H. KULA

Title:

Exectorefor-HARC

CONTROLLER KVTHC

Property description:

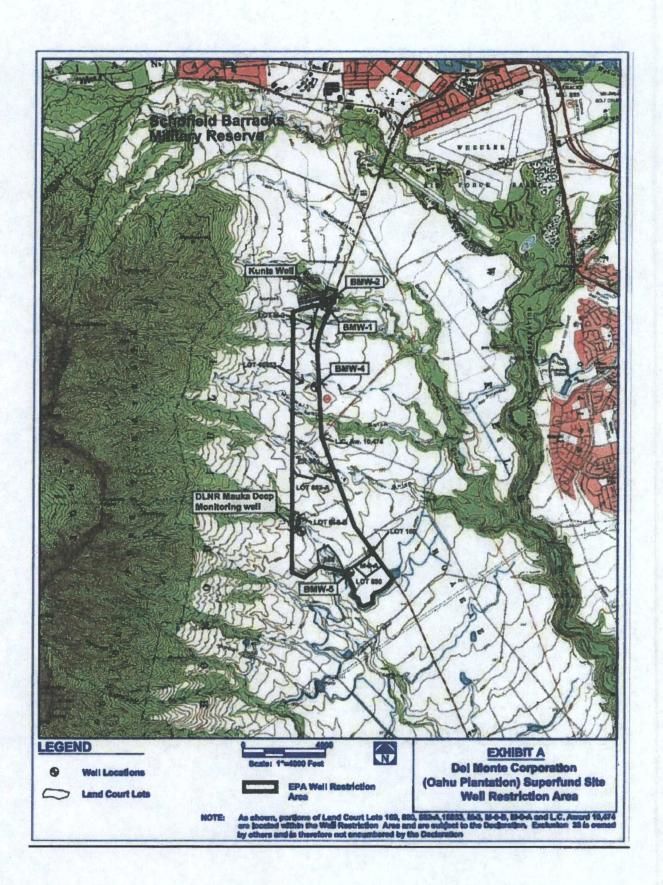
### **KUNIA VILLAGE:**

All of that certain parcel of land situate at Honouliuli, District of Ewa, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

LOT 17847 (area 119.086 acres), as shown on Map 1370, filed in the Office of the Assistant Registrar of the Land Court to the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, Deceased.

BEING all of the land described in and covered by (a) Certificate of Title No. 964,710 issued to Hawaii Agriculture Research Center, and (b) Certificate of Title Nos. 1,018,352 through 1,018,363, inclusive, issued to Kunia Village Title Holding Corporation.

**End of Property Description** 



I am authorized to make this certification on behalf of the owner(s) of the property described below ("Property").

On behalf of said owner(s), I hereby certify, to the best of my and said owner(s)' information and belief, that the following is true and correct as of the date set forth below:

- No application for a water use permit to withdraw water from any well located or to be located in the area shown on the map attached hereto ("Well Restriction Area") has been filed by any owner, lessee, licensee, or other occupant or user of the Property (collectively "Occupant").
- No Occupant of the Property has undertaken any construction in the Well Restriction Area that has damaged or interfered with, or might damage or interfere with, any basal groundwater monitoring or extraction wells, or equipment associated with those wells.

Date: 8/13/12

Signature: Mark Frey

Title: Project Director

Property description:

**KUNIA SECTION 9:** 

### **PARCEL ONE:**

All of that certain parcel of land situate at Honouliuli, District of Ewa, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

LOT 17846 (area 2,395.961 acres), as shown on Map 1370, filed in the Office of the Assistant Registrar of the Land Court to the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, Deceased.

BEING all of the land described in and covered by Certificate of Title No. 930,578 issued to Army Hawaii Family Housing LLC, a Delaware limited liability company.

End of Parcel One Description

### **PARCEL TWO:**

All of that certain parcel of land situate at Hoaeae, District of Ewa, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

ROYAL PATENT NUMBER 4490, LAND COMMISSION AWARD 10,474, APANA 9 TO NAMAUU, situate, lying and being on the westerly side of Kunia Road, being PARCEL 5, and thus bounded and described as per survey dated August 8, 1988:

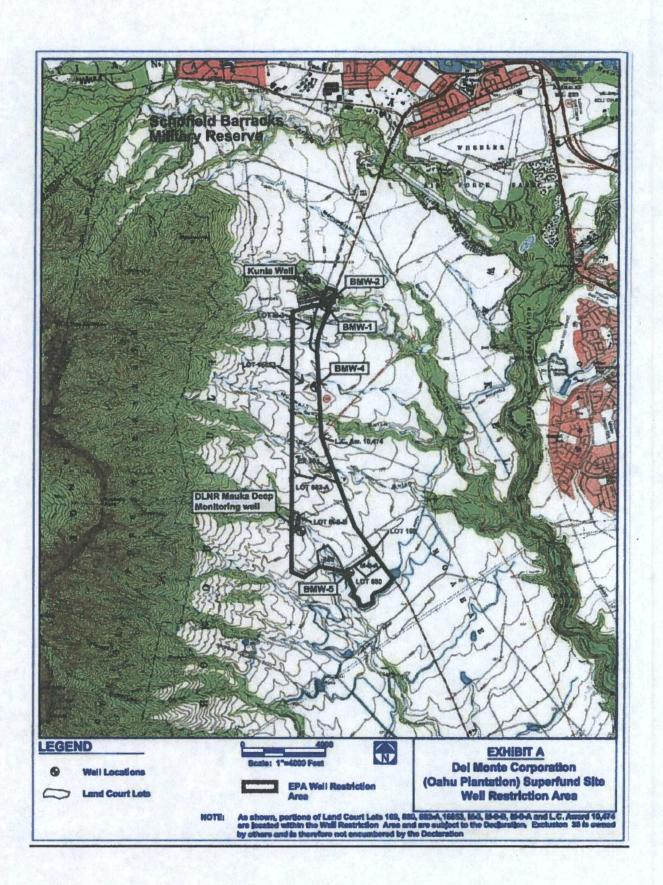
Beginning at the north corner of this parcel of land and on the westerly side of Kunia Road, the coordinates of said point being referred to Government Survey Triangulation Station "KAPUAI NEW", being 22,750.96 feet North and 4,331.52 feet East, thence running by azimuths measured clockwise from true South:

 Along the westerly side of Kunia Road, on a curve to the left with a radius of 2,894.90 feet, the azimuth and distance of the chord being:

	345°	29'	57"	611.81 feet;
2.	159°	26'		573.67 feet along Lot M-1-A-1 of Land Court Application 1069;
3.	221°	12'	30"	73.38 feet along Lot M-1-A-1 of Land Court Application 1069 to the point of beginning and containing an area of 11,930, square feet more or less

**BEING** a portion of the premises acquired by Limited Warranty Deed with Covenants and Reservation of Rights December 10, 2008, made by James Campbell Company LLC, as grantor, and Army Hawaii Family Housing LLC, as grantee, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 3812212 and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2008-185856.

End of Parcel Two



I am authorized to make this certification on behalf of the owner(s) of the property described below ("Property").

On behalf of said owner(s), I hereby certify, to the best of my and said owner(s)' information and belief, that the following is true and correct as of the date set forth below:

- No application for a water use permit to withdraw water from any well located or to be located in the area shown on the map attached hereto ("Well Restriction Area") has been filed by any owner, lessee, licensee, or other occupant or user of the Property (collectively "Occupant").
- No Occupant of the Property has undertaken any construction in the Well Restriction Area that has damaged or interfered with, or might damage or interfere with, any basal groundwater monitoring or extraction wells, or equipment associated with those wells.

Date: 8/21/12

Signature: Signatu

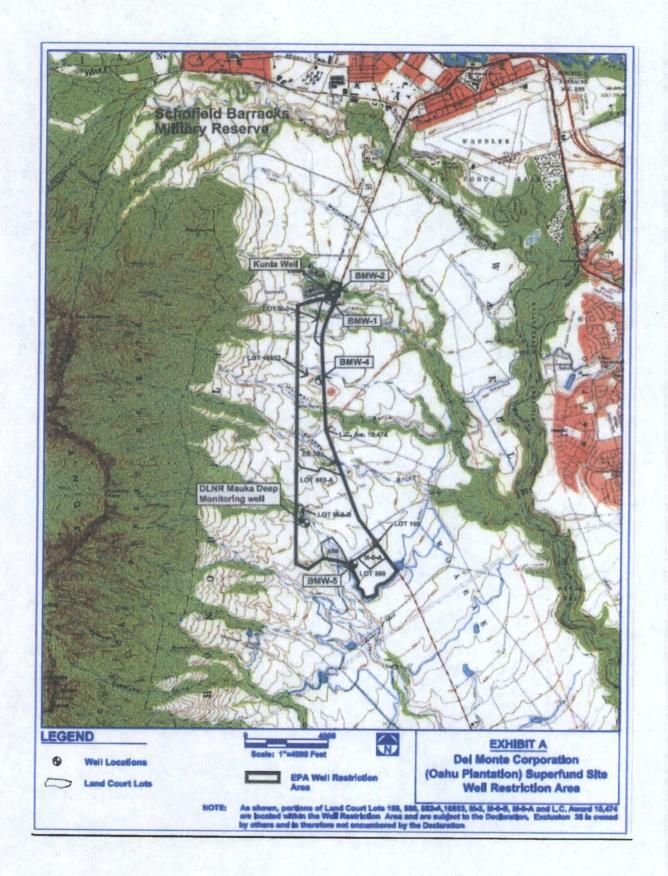
Property description:

### **SECTION 2:**

All of that certain parcel of land situate at Honouliuli, District of Ewa, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

Being the land described in deregistered Certificate of Title No. 975,762 recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2011-133200, described as LOT M-8-B (area 854.23 acres), as shown on Map 5, filed in the Office of the Assistant Registrar of the Land Court to the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, Deceased, which lot has been deregistered from the Land Court System pursuant to Hawaii Revised Statutes Section 501-261.

End of Property Description



I am authorized to make this certification on behalf of the owner(s) of the property described below ("Property").

On behalf of said owner(s), I hereby certify, to the best of my and said owner(s)' information and belief, that the following is true and correct as of the date set forth below:

- No application for a water use permit to withdraw water from any well located or to be located in the area shown on the map attached hereto ("Well Restriction Area") has been filed by any owner, lessee, licensee, or other occupant or user of the Property (collectively "Occupant").
- No Occupant of the Property has undertaken any construction in the Well Restriction Area that has damaged or interfered with, or might damage or interfere with, any basal groundwater monitoring or extraction wells, or equipment associated with those wells.

Date:	July 9, 2012
Signature:	74 Hillipan
Printed Name:	MARK PHILLIPSON
Title:	Leed, Corporate/EXTERNAL Affair.

Property description:

**SECTION 6:** 

PARCEL ONE:

All of that certain parcel of land situate at Honouliuli, District of Ewa, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

LOT M-9-A (area 19.296 acres), as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court to the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, Deceased.

BEING all of the land described in and covered by Certificate of Title No. 921,358 issued to Syngenta Hawaii, LLC, a Hawaii limited liability company.

End of Parcel One Description

### **PARCEL TWO:**

All of that certain parcel of land situate at Honouliuli, District of Ewa, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

LOT 169 (area 0.693 acres), as shown on Map 27, filed in the Office of the Assistant Registrar of the Land Court to the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, Deceased.

BEING all of the land described in and covered by Certificate of Title No. 921,359 issued to Syngenta Hawaii, LLC, a Hawaii limited liability company.

### End of Parcel Two Description

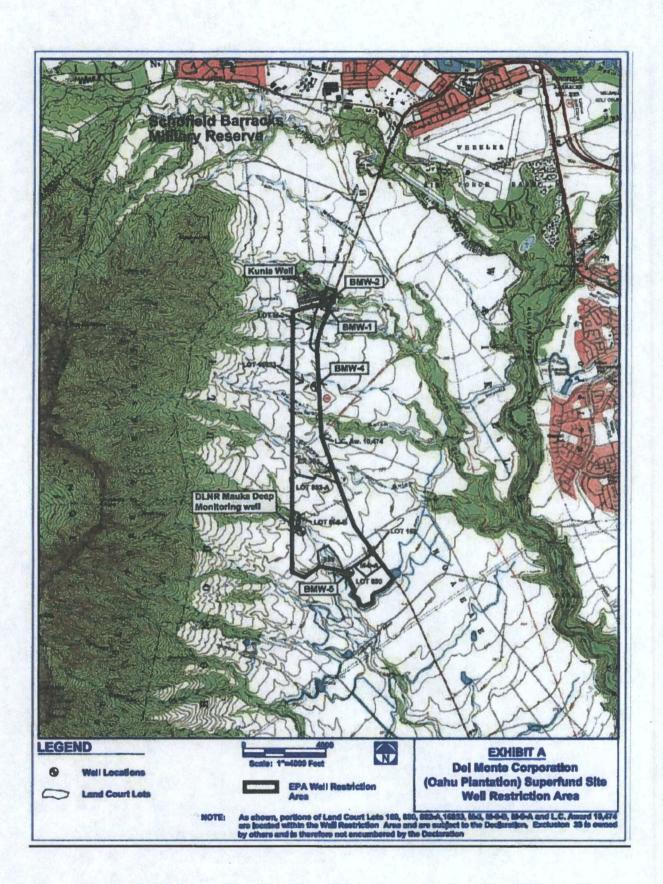
### **PARCEL THREE:**

All of that certain parcel of land situate at Honouliuli, District of Ewa, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

LOT 880 (area 93.117 acres), as shown on Map 109, filed in the Office of the Assistant Registrar of the Land Court to the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, Deceased.

BEING all of the land described in and covered by Certificate of Title No. 921,364 issued to Syngenta Hawaii, LLC, a Hawaii limited liability company.

**End of Parcel Three Description** 



I am authorized to make this certification on behalf of the owner(s) of the property described below ("Property").

On behalf of said owner(s), I hereby certify, to the best of my and said owner(s)' information and belief, that the following is true and correct as of the date set forth below:

- No application for a water use permit to withdraw water from any well located or to be located in the area shown on the map attached hereto ("Well Restriction Area") has been filed by any owner, lessee, licensee, or other occupant or user of the Property (collectively "Occupant").
- No Occupant of the Property has undertaken any construction in the Well Restriction Area that has damaged or interfered with, or might damage or interfere with, any basal groundwater monitoring or extraction wells, or equipment associated with those wells.

Date:	8-13-2012
Signature:	<del></del>
Printed Name:	FRANK LAW
Title:	V, P

Property description:

### **SECTION 8:**

#### PARCEL ONE:

All of that certain parcel of land situate at Honouliuli, District of Ewa, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

LOT 882-A (area 425.963 acres), as shown on Map 110, filed in the Office of the Assistant Registrar of the Land Court to the State of Hawaii with Land Court Application No. 1069 of the Trustees under the Will and of the Estate of James Campbell, Deceased.

BEING all of the land described in and covered by Certificate of Title No. 892,761 issued to Fat Law's Farm, Inc., et al.

End of Parcel One Description

